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Attorneys for Plaintiff

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re:	)	Chapter 11
	)	
ENRON CORP., <i>et al.</i> ,	)	Case No. 01-16034 (AJG)
	)	
Debtors.	)	Adversary No. 04-02628
	)	
	)	Jointly Administered (AJG)
	)	
NORMAN B. TRENTON, IN HIS CAPACITY	)	
AS TRUSTEE OF THE TRENTON FAMILY	)	
TRUST DATED APRIL 8, 1986,	)	JOINT REPORT OF PARTIES'
	)	MEETING UNDER RULE 26(f) OF
Plaintiff,	)	THE FEDERAL RULES OF CIVIL
	)	PROCEDURE
v.	)	
	)	
ENRON WIND SYSTEMS, LLC, a California	)	
limited liability company; SKY RIVER	)	
PARTNERSHIP, a California general	)	
partnership; ESI SKY RIVER LIMITED	)	
PARTNERSHIP, a Delaware limited	)	
partnership; FPL ENERGY SKY RIVER WIND,	)	



#### **4. EXPERT WITNESSES**

Plaintiff anticipates retaining an expert to opine on the nature and amount of damages suffered by Plaintiff as a result of the breach by the defendants of the royalty contracts that are the subject to this litigation. Defendant reserves the right to retain expert witnesses to rebut Plaintiff's expert. All parties reserve the right to retain additional experts, as needed.

#### **5. JOINT DISCOVERY PLAN**

The following is a proposed joint discovery plan:


- (a) Maximum of 50 interrogatories by each party.
- (b) Maximum of 10 depositions for each side, including experts, unless good cause is shown based on initial discovery responses.
- (c) Factual discovery to be completed by December 15, 2004.
- (d) Affirmative expert reports due on January 31, 2005.
- (e) Rebuttal expert reports due on March 3, 2005.
- (f) Supplemental expert reports due on March 16, 2005.
- (g) Dispositive motions to be filed and served by June 15, 2005.
- (h) No special discovery methods or procedures are requested at this time.
- (i) A pretrial conference will take place in accordance with the Court's schedule.
- (j) Expert discovery to be completed by April 15, 2005; and
- (k) "Substantive" interrogatories, as defined in Paragraph 6 below, to be propounded by May 16, 2005

## **6. SPECIAL DISCOVERY NEEDS**

None, besides the right of each party to propound up to fifty (50) total interrogatories without further order of this Court in accordance with the agreement of the parties, despite the statutory limit of twenty-five interrogatories as found in Rule 33 of the Federal Rules of Civil Procedure. The parties also agree to relax the requirements of Local Bankruptcy Rule 7033-1 and Southern District Court Local Rule 33.3 to allow all parties to propound interrogatories requesting relevant information regarding the substantive issues of the case and the relationship of the parties in this case, and not restricted to only those matters found in Local Bankruptcy Rule 7033-1(a) and Southern District Court Local Rule 33.3(a) with respect to up to twenty-five (25) of the fifty (50) total interrogatories. These “substantive” interrogatories will not be propounded until the completion of all other discovery, including expert discovery.

September 14\_\_, 2004


Pitney Hardin, LLP

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Attorneys for Plaintiff and Counter-Defendant  
Norman B. Trenton, In His Capacity As Trustee Of The  
Trenton Family Trust Dated April 8, 1986

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By:  /s/ Martin A. Sosland (by permission)

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